

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	CRIMINAL NO. 05-cr-30032-MAP
)	
v.)	
)	
)	
LUZ TORRES,)	
LUIS RIVERA,)	
and)	
GABRIEL ORTIZ,)	
Defendants.)	

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §3161(h), from February 13, 2006 (the date of the pretrial conference) through May 3, 2006 (the date this Court scheduled the Defendant Luis Rivera's change of plea hearing). In addition, the time from February 13, 2006 through April 10, 2006, should be excluded to allow Attorney Bernard, counsel for Defendant Torres, to obtain and evaluate the Defendant's medical records, and if appropriate, to prepare further pretrial motions concerning these records.

In these circumstances, the interests of justice, including the continuity of counsel, outweigh the usual interests in a speedy trial. The government, therefore, requests that the time period described above be excluded, pursuant to 18 U.S.C. §§ 3161(h)(8) and United States v. Santiago-Becerril, 130 F.3d 11,

20 (1st Cir. 1997). It is in the best interests of the Defendant, the government, and the public, to exclude the time from February 13, 2006 through May 3, 2006 from the period within which the trial of this case must commence under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: March 15, 2006